



June 2, 2011

Mr. Jon Knodel
USEPA Region VII
Mail Code: AWMD/APCO
901 N 5th Street
Kansas City, KS 66101

Re: Westar Energy Consent Decree (Civ. Action No. 09-CV-2059)
Jeffrey Energy Center Units 2 CAM Testing and PM CEMs Certification

Dear Mr. ^{Jon}Knodel:

On March 26, 2010, Westar Energy, Inc. (Westar) entered into a Consent Decree with the United States. Among other requirements for Jeffrey Energy Center (JEC) Units 1, 2 and 3, the Consent Decree includes the specific requirements listed below.

Paragraph 70. No later than ninety (90) days after entry of this Consent Decree, Westar shall commence continuous operation of FGDs at all three JEC Units so as to achieve and thereafter maintain, a 30-Day Rolling Average Unit Removal Efficiency for SO₂ of at least ninety-seven percent (97%) or a 30-Day Rolling Average Unit Emission Rate for SO₂ of no greater than 0.070 lb/mmBTU.

Paragraph 71. No later than ninety (90) days after entry of this Consent Decree and continuously thereafter, Westar shall operate each FGD covered under this Consent Decree at all times that the Unit it serves is in operation, consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance for the FGD for minimizing emissions to the extent practicable.

Paragraph 82. Beginning thirty (30) days after entry of this Consent Decree, and continuing thereafter, Westar shall operate each ESP and FGD system on each JEC Unit to maximize PM emission reductions at all times when the Unit is in operation. Consistent with the technological limitations, manufacturers' specifications and good engineering and maintenance practices for each control device, Westar shall: (a) energize and maintain power levels to each section of the ESPs; (b) operate an automatic control system on each ESP to assure that the plate-cleaning and discharge-electrode-cleaning systems and associated

performance parameters, including cycle time, cycle frequency, rapper-vibrator intensity, and number of strikes per cleaning event, maximize the overall PM collection efficiency; and (c) inspect and repair any failed ESP sections, openings in control equipment casings, ductwork and expansion joints to minimize air leakage during the next planned Unit outage or unplanned outage of sufficient length.

Paragraph 84. No later than thirty (30) days from the date of entry of this Consent Decree, Westar shall continuously operate the ESPs and FGD systems at each JEC Unit so that each Unit achieves and maintains a PM Emission Rate of no greater than 0.030 lb/mmBTU as demonstrated by the stack testing required by Paragraph 85.

Paragraph 88. No later than December 31, 2011, Westar shall install, correlate, maintain and operate a PM CEMS on one JEC Unit as specified below. The PM CEMS shall comprise a continuous particle mass monitor measuring particulate matter concentration, directly or indirectly, on an hourly basis and a diluent monitor used to convert the concentration to units expressed in lb/mmBTU. The PM CEMS must be appropriate for the anticipated stack conditions and capable of measuring PM concentrations on an hourly average basis. Westar shall maintain, in an electronic database, the hourly average emission values produced by the PM CEMS in lb/mmBTU. Except for periods of monitor malfunction, maintenance, or repair, Westar shall continuously operate the PM CEMS at all times when the Unit is serves is operating.

In order to provide ongoing reasonable assurance of compliance with the Consent Decree particulate matter (PM) emission limitation, Westar needs to enhance the existing Compliance Assurance Monitoring (CAM) Plan for JEC Unit 2. As you are aware, prior to entering into the Consent Decree, Westar was already required to provide ongoing reasonable assurance of compliance with the New Source Performance Standard (NSPS) Subpart D PM emission limit of 0.10 lb/mmBTU and the State of Kansas PM emission limit of 0.12 lb/mmBtu. Additional CAM testing was conducted for Units 1 and 3 in August 2010 to establish CAM for the Consent Decree PM emission limit. As previously indicated, Westar had planned to rebuild the electrostatic precipitator (ESP) on JEC Unit 2 in early 2011. Therefore on June 16, 2010, USEPA Region 7 (EPA) approved Westar's request to delay JEC Unit 2 CAM testing until the Unit 2 ESP modifications were completed. The JEC Unit 2 ESP modifications are now complete, therefore, Westar must now refine the existing CAM Plan for JEC Unit 2 in order to ensure compliance with the new, 0.030 lb/mmBTU PM emission limit.

In addition, as per Consent Decree paragraph 88, Westar is required to install, correlate, maintain and operate a PM CEMS on one JEC Unit. The PM CEMS has been installed on JEC Unit 2.

Westar is tentatively planning to conduct CAM Plan testing and PM CEMS correlation testing on JEC Unit 2 on June 16 – 24, 2011. A CAM Plan and PM CEMS Test Protocol has been submitted to EPA and the Kansas Department of Health and Environment (KDHE) under a separate cover on May 17, 2011. As you are aware, during the CAM

Plan and PM CEMs test program, it will be necessary for Westar to "de-tune" both the ESP and the FGD system for JEC Unit 2. Additionally, during the "de-tuned" ESP and FGD system test conditions, Westar may exceed the SO₂ and/or PM emission limits specified in the Consent Decree as well as the L/G ratio as established in the existing CAM Plan/NSPS Alternative Monitoring Plan. Also at certain times during this testing period, Westar will not be energizing each section of the ESP and will not be operating each ESP and FGD system in order to maximize PM and SO₂ emission reductions.

Westar is requesting that EPA waive the Consent Decree requirements specified in Paragraphs 70, 71, 82 and 84 (and associated Stipulated Penalties) that may be realized as a result of the CAM Plan and PM CEMS correlation testing for JEC Unit 2. Additionally, Westar is requesting EPA and KDHE approval to exceed the L/G ratio limits established by the existing Unit 2 CAM Plan/NSPS Alternative Monitoring Plan. The extent and duration of the ESP and FGD system "de-tuning" as well as any exceedence(s) will be limited to no more time than is absolutely necessary to fulfill the requirements of developing a new enhanced CAM Plan to demonstrate ongoing reasonable assurance of compliance with the Consent Decree PM emission limitation and to conduct the PM CEMS correlation testing.

Should you have any question, please do not hesitate to contact me at 787-575-1614 or e-mail me at Dan.R.Wilkus@westarenergy.com.

Sincerely,

WESTAR ENERGY, INC.

A handwritten signature in black ink, appearing to read "Dan Wilkus", with a stylized flourish at the end.

Daniel R. Wilkus, P.E.
Director, Air Programs

cc: Gerald McIntyre, KDHE
Mark Smith, USEPA Region 7